

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re:

DIANE D WEAVER
JAMES E WEAVER, JR.

Chapter 13

Debtor

Bankruptcy No. 21-12249-ELF
Date: 1/25/2022 10:00:00 AM
Courtroom: #Courtroom #1
900 Market St,
Philadelphia PA 19107

CHAPTER 13 STANDING TRUSTEE'S AMENDED MOTION FOR DISMISSAL

AND NOW comes, Kenneth E. West, Esquire, Chapter 13 standing trustee, and requests that the above-captioned bankruptcy case be dismissed for the following reason(s):

There has been unreasonable delay by debtor(s) that is prejudicial to creditors pursuant to 11 U.S.C. Section 1307(c)(1), by the failure of debtor(s) to provide business information sufficient for the trustee to evaluate the financial condition of debtor(s) and/or the plan.

There has been unreasonable delay by debtor(s) that is prejudicial to creditors pursuant to 11 U.S.C. Section 1307(c)(1) by failing to propose an adequately funded plan, in that the total filed proofs of claim which are to be paid through the plan exceed the value of the plan.

Debtor(s) has/have failed to commence or continue making timely payments to the trustee as required by 11 U.S.C. Section 1326.

The hearing scheduled by the filing of this motion may be adjourned from time to time without further notice to interested parties by announcement of such adjournment in Court on the date scheduled for the hearing.

The standing trustee consents to the entry of a final order or judgment by the Court if it is determined that the Court, absent consent of the parties, cannot enter a final order or judgment consistent with Article III of the United States Constitution.

WHEREFORE, Kenneth E. West, Esquire, Chapter 13 standing trustee, respectfully requests that Court, after a hearing, enter an Order in the form annexed hereto, dismissing this bankruptcy case.

Respectfully submitted,

/s/ Kenneth E. West

Kenneth E. West, Esquire
Chapter 13 Standing Trustee
P.O. Box 40837
Philadelphia, PA 19107
Telephone: (215)627-1377